

# HOUSE BILL REPORT

## HB 1605

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**As Reported by House Committee On:**  
Local Government & Housing

**Title:** An act relating to allocating projected population growth for planning purposes among cities sharing common borders and located in the same county for the purpose of addressing requirements in the land use and housing elements by designating and identifying land for residential and commercial, industrial, and other nonresidential development needs under the growth management act.

**Brief Description:** Requiring cooperation when planning to accommodate projected population growth and the resulting development needs under the growth management act.

**Sponsors:** Representatives Springer, Rodne, Hinkle, Takko, Anderson, Eddy, Liias, Sullivan, Upthegrove and Simpson.

**Brief History:**

**Committee Activity:**

Local Government & Housing: 2/4/09, 2/12/09 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes cities sharing common borders to establish subregions to address housing and employment markets that cross jurisdictional boundaries.
- Establishes new planning requirements for land use and housing elements in comprehensive plans adopted under the Growth Management Act.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Ericksen, Assistant Ranking Minority Member; Cox, Miloscia, Short, Springer, Upthegrove, White and Williams.

**Staff:** Ethan Moreno (786-7386)

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

## Growth Management Act - Introduction.

The Growth Management Act (GMA or Act) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, the GMA establishes numerous requirements for local governments obligated by mandate or choice to fully plan under the Act (planning jurisdictions) and a reduced number of directives for all other counties and cities. Twenty-nine of Washington's 39 counties, and the cities within those counties, are planning jurisdictions.

## Comprehensive Plans - Selected Elements.

The GMA directs planning jurisdictions to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must address specified planning elements, including land use and housing, each of which is a subset of a comprehensive plan. Comprehensive plans must be coordinated and consistent with those of other counties and cities with which the county or city has common borders or related regional issues. Comprehensive plans are implemented through development regulations mandated by the GMA.

The land use element of a comprehensive plan must designate the proposed general distribution, general location, and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, and other uses. The land use element must include population densities, building intensities, and estimates of future population growth.

The housing element of a comprehensive plan must ensure the vitality and character of established residential neighborhoods. Housing elements must include an inventory and analysis of existing and projected needs that identifies the number of housing units necessary to manage projected growth, and a statement of goals, policies, and provisions for the preservation, improvement, and development of housing. Housing elements must also identify sufficient land for housing, including housing for low-income families and government assisted housing.

## Urban Growth Areas.

The GMA includes requirements relating to the use or development of land in urban and rural areas. Among other requirements, counties that fully plan under the GMA (planning counties) must designate urban growth areas (UGAs) or areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Additionally, planning counties and each city within these counties must include within their UGAs, areas and densities that are sufficient to permit the urban growth projected by the Office of Financial Management (OFM) to occur in the county or city for the succeeding 20-year period.

## County-wide Planning Policies and Multicounty Planning Policies.

The legislative authority of each planning county must adopt a county-wide planning policy (CPP) in cooperation with the cities located wholly or partially within the county. A CPP is a

written policy statement or statements used solely for establishing a county-wide framework from which county and city comprehensive plans are developed and adopted.

County-wide planning policies must include specified planning provisions. Examples include:

- policies to implement requirements for UGAs;
- policies for county-wide transportation facilities and strategies; and
- policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution.

Multicounty planning policies (MPPs) must be adopted by two or more counties meeting population and contiguity requirements and may be adopted by other counties. These MPPs must be adopted according to the process established for CPPs or through other processes agreed to among the counties and cities within the affected region.

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### **Summary of Substitute Bill:**

Two or more cities sharing common borders and located in the same county, or two or more cities sharing a common border and located in adjacent counties, may establish a subregion to address housing and employment markets that cross jurisdictional boundaries. Subregions must be established in coordination with county-wide and multicounty planning bodies through proposed amendments to each city's comprehensive plan and to CPPs and multicounty planning policies. The policies proposed by the cities may include, but are not limited to:

- policies that reallocate, among the cities in the subregion, the population growth established for each local government through requirements for UGAs;
- policies that provide for a sufficient number of housing units to accommodate the existing housing needs and projected population growth in the subregion; and
- policies that provide for sufficient land suitable for development to meet the needs for commercial and industrial growth in the subregion.

Requirements for housing and land use elements are modified. Land use elements must designate a sufficient quantity of land needed for residential uses and, as appropriate, for commercial, industrial, and other nonresidential uses. These designations must be consistent with the range of growth management population projections made for counties by the OFM, projections that are allocated among counties and cities in accordance with requirements for UGAs.

Housing elements must include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to accommodate, rather than manage, projected growth. Housing elements, in addition to other land identification requirements, must identify a quantity of land suitable for meeting the existing and projected housing needs necessary to accommodate projected growth.

### **Substitute Bill Compared to Original Bill:**

The substitute bill makes the following changes:

- Specifies that land use elements must designate a sufficient quantity of land needed for residential uses and, as appropriate, for commercial, industrial, and other nonresidential uses.
  - Specifies that these designations must be consistent with the range of the growth management population projections made for counties by the OFM, projections that are allocated among counties and cities in accordance with specific requirements of the GMA.
  - Specifies that housing elements must identify a sufficient quantity of land for meeting certain existing and projected housing needs, rather than a sufficient quantity of land suitable for meeting certain existing and projected needs.
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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill is a do-over for Engrossed Substitute House Bill 1727 of 2007. The Legislature has many bills before it that address serious planning issues, including reducing vehicle miles traveled (VMT). The best way to reduce VMT is to provide sufficient housing in places that are close to where people work. This bill is an attempt to address land use issues at the local level. The bill is an example of continuing to try to find ways to locate housing closer to jobs. This bill has an impact on the budget: when jurisdictions expand infrastructure, they request money from the Legislature. This bill clarifies what jurisdictions must do under the land use and housing elements of the GMA.

(With concerns) Stakeholders are working with proponents of the bill to develop amendatory language for the land use and housing element provisions that can be jointly supported. Wording changes to the bill need to be clear, as cities expect the changes to be litigated.

(Opposed) None.

**Persons Testifying:** (In support) Representative Springer, prime sponsor; and Jeanette McKague, Washington Association of Realtors.

(With concerns) Dave Williams, Association of Washington Cities; and April Putney, Futurewise.

**Persons Signed In To Testify But Not Testifying:** None.